IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Choi et al.

Application Serial No.: 08/961,083 Art Unit: 1641

Filed: October 30, 1997 Examiner: Hines, J.

For: Streptococcus Pneumoniae Antigens and Vaccines Attorney Docket No.: PB340P2

Response to Notice to Comply

Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply received in connection with the Office Action dated October 26, 1998, Applicants submit under separate cover herewith the following:

1) Statement Under 37 C.F.R. §§ 1.821 and 1.825;
2) a paper copy of the sequence listing and a computer-readable diskette containing same; and
3) a copy of the Notice to Comply.

Applicants believe that no fee is required for this submission. However, should a fee be due, please charge such fee to Deposit Account No. 08-3425. A duplicate of this page is enclosed.

Respectfully submitted,

Date: January 13, 1999

Kenley K. Hoover Reg. No. 40,302
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, Maryland 20850
Telephone: 301-610-5771

Enclosure: duplicate of this page
KKH/ur

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FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be $3,426.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Add. Fee	or Rate	Add. Fee
Total	181	Minus	21	= 160	X9	$ **	X18	$ 2,880.00
Indep	13	Minus	6	= 7	X39	$ **	X78	$ 546.00
First Presentation of Multiple Dep. Claims				+ 135	$ **		+ 270	$ **
				Total	$ **	or	Total	**$ 3,426.00**

01/25/1999 CSCOTT 00000001 083425 08961083
01 FC:102 546.00 CH
02 FC:103 [redacted]

Please charge the required fee, and any other fee deemed necessary, to Deposit No. 08-3425. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: January 13, 1999

Kenley K. Hoover (Reg. No. 40,302)
Attorney for Applicants

Human Genome Sciences, Inc.
9410 Key West Avenue
Rockville, MD 20850
(301) 610-5771 (phone)

KKH/ur

Application No.: 08/961,083

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- [X] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [X] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [ ] 7. Other: _____

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [X] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support (SIRA)
Technical Assistance.....703-287-0200
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